

MINUTES

**CITY OF IMPERIAL BEACH
CITY COUNCIL
PLANNING COMMISSION
PUBLIC FINANCING AUTHORITY
HOUSING AUTHORITY
IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY**

MARCH 16, 2016

**Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932**

**CLOSED SESSION MEETING – 5:00 P.M.
REGULAR MEETING– 6:00 P.M.**

CLOSED SESSION MEETING CALL TO ORDER

Mayor Dedina called the Closed Session meeting to order at 5:30 p.m.

ROLL CALL

Councilmembers present: Bilbray (arrived at 5:45 p.m.), Bragg
Councilmembers absent: Patton
Mayor Present: Dedina
Mayor Pro Tem Present: Spriggs
Staff Present: City Manager Hall, City Attorney Lyon, City Clerk Hald

CLOSED SESSION

CONSENSUS OF CITY COUNCILMEMBERS PRESENT TO ADJOURN TO CLOSED SESSION UNDER:

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8:

Properties: 761, 771, 781, 791, 801, and 881 Palm Ave., Imperial Beach, CA 91932

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: Sudberry Properties, Inc.

Under Negotiation: Instruction to Negotiator will concern price and terms of payment

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code section 54956.9(d)(1)

Case No. 37-2016-00000183-CU-WM-CTL

Mayor Dedina adjourned the meeting to Closed Session at 5:31 p.m. and he reconvened the meeting to Open Session at 6:01 p.m.

Reporting out of Closed Session, City Manager Hall announced Closed Session Item No. 1 was not discussed because it was determined that a discussion was not necessary; City Council discussed Closed Session Item No. 2 and no reportable action was taken.

City Attorney Lyon announced her office did not participate on Closed Session Item No. 2 due to a potential conflict of interest.

ADJOURN CLOSED SESSION

Mayor Dedina adjourned the Closed Session meeting at 6:01 p.m.

REGULAR MEETING CALL TO ORDER

Mayor Dedina called the Regular Meeting to order at 6:02 p.m.

ROLL CALL

Councilmembers present: Bilbray, Bragg, Patton
Councilmembers absent: None
Mayor Present: Dedina
Mayor Pro Tem Present: Spriggs
Staff Present: City Manager Hall, City Attorney Lyon, City Clerk Hald, Assistant City Manager Dush, City Planner Foltz, Public Works Director Levien, Administrative Services Director Bradley

PLEDGE OF ALLEGIANCE

Monique Cortez, a 6th Grader from Nicoloff Elementary School, led the Pledge of Allegiance.

AGENDA CHANGES

Mayor Pro Tem Spriggs requested Item Nos. 2.2 and 2.8 be pulled off the Consent Calendar for discussion at the end of the agenda.

City Manager Hall requested taking Item No. 5.1 after the Consent Calendar.

MOTION BY BRAGG, SECOND BY SPRIGGS, TO TAKE ITEM NOS. 2.2 AND 2.8 OFF THE CONSENT CALENDAR FOR DISCUSSION AT THE END OF THE AGENDA AND TO TAKE ITEM NO. 5.1 IMMEDIATELY AFTER THE CONSENT CALENDAR. MOTION CARRIED UNANIMOUSLY.

MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY ANNOUNCEMENTS/REPORTS ON ASSIGNMENTS AND COMMITTEES

Councilmember Patton reported on his attendance at the South County Economic Development Council meeting and he encouraged everyone to support local businesses by shopping in IB.

Councilmember Bragg reported that as Chair of the MTS Accessible Services Advisory Committee, she met with Congressional Representatives in Washington, D.C. to obtain \$8 million for seventy new paratransit vehicles that run on propane. She made the following announcements: the launch of the City's Commemorative Brick Program, the Chamber of Commerce and BID are hosting Taste of IB this weekend, and she encouraged the community to gather their historical items for the Imperial Beach history booth that will be at the Mayor's Breakfast.

Mayor Pro Tem Spriggs announced his reappointment to serve on the Citizens Forum for the International Boundary and Water Commission. He reported on his attendance, along with Mayor Dedina, at the SANDAG Board of Directors retreat.

Mayor Dedina reported he and Councilmember Spriggs attended the Little League Opening Night. He spoke about presenting a Proclamation in recognition of the Mar Vista Mariners girl's water polo team winning CIF. He announced the Empty Lot Community Open House is on March 22 and that IB Beautiful gave \$10,000 to go towards the project. IB Beautiful also gave \$8,000 to help improve the AT&T building. He expressed concern about the potential for Zika virus in the Tijuana River Valley and efforts to meet with various agencies to address the issue. He spoke about IB Connection, a new newspaper in Imperial Beach. He spoke about the importance of raising awareness about Multiple Sclerosis and read a Proclamation in recognition of Multiple Sclerosis Awareness Week.

Brian Barreto, External Affairs Representative for California American Water, presented the City with a check in the amount of \$65,000 for the Triangle Park Project.

COMMUNICATIONS FROM CITY STAFF

Public Safety Director French spoke about raising \$3,500 for the Burn Institute during a boot drive held on March 2. The next fundraiser will be the Demolition Derby at the San Diego County Fair Grounds on June 4.

Assistant City Manager Dush spoke about the upcoming Empty Lot Community Open House is on March 22.

PUBLIC COMMENT-

Tim O'Neal submitted a photo of the old boardwalk and requested removal of it in a dignified way.

Joe Gallagher asked City Council to consider installation of a fenced dog park in Imperial Beach.

Pam Gallagher spoke in support for having a social outlet for dogs and owners. She suggested placement of a dog park at Veterans Park.

June Engel, Branch Manager of the IB Library, introduced Grace Delgado, a new library staff member.

John Detommaso complained about absentee landlords/owners who do not take care of their property. He also complained about water quality and questioned if the name Tijuana Slough can be changed.

PRESENTATIONS (1)

None.

CONSENT CALENDAR (2.1, 2.3-2.7, 2.9 & 2.10)

MOTION BY BILBRAY, SECOND BY PATTON, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1, 2.3 THROUGH 2.7, 2.9 & 2.10. MOTION CARRIED UNANIMOUSLY.

2.1 MINUTES. (0300-25)

The City Council approved the Regular Meeting Minutes of January 20, 2016.

2.3 SECOND READING/ ADOPTION OF ORDINANCE NO. 2016-1155 COASTAL COMMISSION STIPULATED MODIFICATIONS TO THE ZONING IMPLEMENTATION OF THE 2013-2021 IMPERIAL BEACH HOUSING ELEMENT. MF 1060. (0660-95)

The City Council adopted Ordinance No. 2016-1155 by title only and waived further reading in full of the ordinance.

2.4 RESOLUTION NO. 2016-7678 TO CONFIRM THE REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM (RTCIP) PROJECT PLAN ADOPTED IN MARCH 2008. (0680-95)

Adopted resolution.

2.5 RESOLUTION NO. 2016-7677 INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS AND ORDERING THE PREPARATION OF AN ENGINEER'S "REPORT" FOR A SPECIAL ASSESSMENT DISTRICT – AD-67M. (0300-90)

Adopted resolution.

2.6 RESOLUTION NO. 2016-7681 TO APPROVE BANKING SERVICES WITH CHASE BANK. (0320-10)

Adopted resolution.

2.7 RECEIVE JANUARY 2016 TREASURER'S REPORT. (0300-90)

The City Council received the monthly treasurer's report.

2.9 RESOLUTION NO. 2016-7686 – RESPONSE TO THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL. (0260-20)

Adopted Resolution No. 2016-7686 objecting to the requested condition modification and directing staff to transmit this objection to ABC.

2.10 UPDATE ON 60TH ANNIVERSARY AND REQUEST TO APPROVE RESOLUTION NO. 2016-7687 AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AGREEMENTS RELATED TO 60TH ANNIVERSARY ACTIVITIES AND APPROVING AN AMENDMENT TO THE FY 2015-2016 BUDGET BY APPROPRIATING \$7,000 FROM THE GENERAL FUND TO A 60TH ANNIVERSARY ACTIVITIES BUDGET. (1040-10)

Adopted resolution.

REPORTS (5.1)

5.1 BI-ANNUAL INVESTMENT REPORT PRESENTED BY CHANDLER ASSET MANAGEMENT. (0350-90)

Administrative Services Director Bradley introduced the item.

Jayson Schmitt, Senior Vice President and Portfolio Manager with Chandler Asset Management Group, gave an economic update and reviewed the City's Investment Report for period ending June 30, 2015. He responded to questions of City Council regarding the future of the housing market and management of the portfolio while dealing with inflation. He noted that with the current investment policy, the City has the ability to use most tools available in the state code.

MOTION BY SPRIGGS, SECOND BY BRAGG, TO ACCEPT THE BI-ANNUAL INVESTMENT REPORT FROM CHANDLER ASSET MANAGEMENT. MOTION CARRIED UNANIMOUSLY.

ORDINANCES – INTRODUCTION/FIRST READING (3)

None.

PUBLIC HEARINGS (4.1-4.3)

4.1 SUDBERRY-PALM, LLC (APPLICANT); CONSIDER THE MODIFICATION OF CERTAIN CONDITIONS OF APPROVAL OF RESOLUTION 2011-7131 FOR THE BREAKWATER DEVELOPMENT (ALSO KNOWN AS 9TH & PALM). MF 1062. (0600-20)

Mayor Dedina declared the public hearing open.

Assistant City Manager Dush gave a PowerPoint presentation on the item.

Colton Sudberry announced the ground breaking will happen in less than a month, he spoke about some of the tenants that will locate in the new center, he requested approval of the modifications, and he described the design features of the project and spoke about the grocery store chain Grocery Outlet.

Councilmember Bragg and Mayor Dedina recognized Sudberry Properties for their dedicated efforts through the long redevelopment process and for embracing the community.

Carson Dollick expressed concern about the condition of the alley over time.

Jack Fisher stated there are cracks in the alley and manhole covers that are bumpy. He requested that the areas be built to City standards, he supported a ground roots relationship with the neighborhood, he expressed concern about cars entering and exiting the southern entrance at high rates of speed and he spoke about making safety a priority.

City Manager Hall stated some areas of the alley will be replaced completely and other areas will be repaired.

Without dissent from the City Council, Mayor Dedina closed the public hearing.

MOTION BY PATTON, SECOND BY SPRIGGS, TO ADOPT RESOLUTION NO. 2016-7684, AUTHORIZING MODIFICATIONS TO CERTAIN CONDITIONS OF APPROVAL PROVIDED IN RESOLUTION 2011-7131 RELATED TO IMPROVEMENTS IN AND ADJACENT TO THE ALLEY. MOTION CARRIED UNANIMOUSLY.

4.2 PUBLIC HEARING AND ADOPTION OF RESOLUTION NO. 2016-7679 FOR TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2017 THROUGH 2021. (0680-80)

City Attorney Lyon announced Mayor Dedina recused himself from discussion on the item due to a potential conflict of interest as his residence is within 500 feet of one of the street projects.

Mayor Dedina left Council Chambers at 7:22 p.m.

Mayor Pro Tem Spriggs declared the public hearing open.

Public Works Director Levien gave a PowerPoint presentation on the item.

City Clerk Hald announced no speaker slips were submitted.

Without dissent from the City Council, Mayor Pro Tem Spriggs closed the public hearing.

MOTION BY BRAGG, SECOND BY BILBRAY, TO ADOPT RESOLUTION NO. 2016-7679 AUTHORIZING CITY STAFF TO SUBMIT ATTACHMENT 2 OF THE STAFF REPORT TO SANDAG DESIGNATING THE STREET SEGMENTS IN ATTACHMENT 2 AS PROJECTS ELIGIBLE FOR STREET RESURFACING AND ADA/PEDESTRIAN/BICYCLE IMPROVEMENTS BETWEEN FISCAL YEARS 2017 THROUGH 2021 USING THE REVENUES FROM THE TRANSNET LOCAL STREET AND ROADS FUND. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: BILBRAY, PATTON, BRAGG, SPRIGGS

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE

DISQUALIFIED: COUNCILMEMBERS: DEDINA

City Manager Hall suggested City Council proceed with Item No. 5.2 since Mayor Dedina has a potential conflict of interest on the item because his residence place of employment is within 500 feet of the project. (Note: Correction)

REPORTS (5.2)

5.2 ELM AVENUE IMPROVEMENT PROJECT – SEACOAST DRIVE TO 7TH STREET – PRE-BID REVIEW. (0720-10)

Public Works Director Levien gave a PowerPoint presentation on the item. In response to questions raised by City Council, he reviewed the funding, gave an overview of the parking and drop off locations, and discussed community outreach efforts. He confirmed that the contractors will notify the residents about parking restrictions due to construction. He also stated that he can place construction information online and also send it out through e-mail.

Councilmember Bragg suggested use of the digital sign as well as the Mar Vista High School marquee sign to inform the public about project construction.

Paula Hall, Board Member of Sweetwater Union High School District (SUHSD), expressed concern that the project was not brought before the SUHSD Board and requested more information on the project. She stated major construction that will take place at the school needs to be considered and she suggested that the City contact their new facilities personnel.

Public Works Director Levien reviewed the history of the project and the ongoing discussions and meetings held with the school districts.

City Manager Hall stated the school districts and the school principals have been involved in the process and all agreed to what is being presented tonight. He cautioned that any changes made now would have to go back to the neighborhood for their review.

Mayor Pro Tem Spriggs suggested that Public Works Director Levien bring the school district up to date on the project.

Councilmember Bragg stated that the City has demonstrated a constant partnership with the School Districts. She also stated that the City has done its due diligence and no additional meetings are needed.

Councilmember Patton suggested Public Works Director Levien obtain more information on the future construction projects planned at the high school.

Public Works Director Levien suggested that the City proceed with advertising and at the same time schedule a briefing with the SUHSD Board.

Councilmember Bilbray spoke in opposition to the installation of stop signs and suggested that it be postponed for now. Noting that it is easier to install stop signs than to remove them, he suggested waiting to see how narrowing the streets and the raised speed table will control traffic. He spoke in support for advertising the project.

MOTION BY BILBRAY, SECOND BY BRAGG, TO APPROVE PROCEEDING ADVERTISEMENT OF THIS PROJECT.

Mayor Pro Tem Spriggs stated that the motion is different than the motion recommended by staff.

Councilmember Bilbray agreed to modify his motion to be consistent with staff's recommendation and to include Councilmember Patton's friendly amendment.

Councilmember Patton offered a friendly amendment to include: Public Works Director Levien to meet with the SUHSD Board and other appropriate people to be on the same page.

MOTION BY BILBRAY, SECOND BY PATTON, TO APPROVE OF THE FINAL SCOPE OF WORK, AUTHORIZE STAFF TO PROCEED WITH THE PROJECT'S REQUEST FOR PROPOSALS IN MARCH 2016 OR AS SOON THEREAFTER AS POSSIBLE AND FOR PUBLIC WORKS DIRECTOR LEVIEN TO MEET WITH THE SWEETWATER UNION HIGH SCHOOL DISTRICT BOARD AND OTHER APPROPRIATE PEOPLE TO BE ON THE SAME PAGE. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS: BILBRAY, PATTON, BRAGG, SPRIGGS
NOES:	COUNCILMEMBERS: NONE
ABSENT:	COUNCILMEMBERS: NONE
DISQUALIFIED:	COUNCILMEMBERS: DEDINA

Mayor Dedina returned to Council Chambers at 8:03 p.m.

4.3 RESOLUTION NO. 2016-7674, RESOLUTION NO. 2016-7675 AND RESOLUTION NO. 2016-7676 PUBLIC HEARING REGARDING FORMATION OF AN UNDERGROUND UTILITY DISTRICT – 1300 BLOCK DONAX AVENUE UNDERGROUND UTILITY DISTRICT; 1300 BLOCK ELM AVENUE UNDERGROUND UTILITY DISTRICT AND 900-1000 BLOCKS FERN AVENUE UNDERGROUND UTILITY DISTRICT (0600-20)

Mayor Dedina declared the public hearing open.

Public Works Director Levien gave a report on the item.

No public speaker slips were submitted.

Without dissention from the City Council, Mayor Dedina closed the public hearing.

MOTION BY SPRIGGS, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2016-7674, ESTABLISHING THE FORMATION OF AN UNDERGROUND UTILITY DISTRICT – 1300 BLOCK DONAX AVENUE UNDERGROUND UTILITY DISTRICT. MOTION CARRIED UNANIMOUSLY.

MOTION BY BILBRAY, SECOND BY SPRIGGS, TO ADOPT RESOLUTION NO. 2016-7675 ESTABLISHING THE FORMATION OF AN UNDERGROUND UTILITY DISTRICT – 1300 BLOCK ELM AVENUE UNDERGROUND UTILITY DISTRICT. MOTION CARRIED UNANIMOUSLY.

MOTION BY BILBRAY, SECOND BY PATTON, TO ADOPT RESOLUTION NO. 2016-7676 ESTABLISHING FORMATION OF AN UNDERGROUND UTILITY DISTRICT 900-1000 BLOCKS FERN AVENUE UNDERGROUND UTILITY DISTRICT. MOTION CARRIED UNANIMOUSLY.

REPORTS (5.3-5.4)

5.3 RESOLUTION 2016-7683 SETTING TIME AND PLACE FOR PUBLIC HEARINGS TO CONSIDER ADOPTION OF THE 5-YEAR (FY17 THRU FY21) SEWER SERVICE CHARGE AND SEWER CAPACITY FEE. (0830-90)

City Manager Hall gave a PowerPoint presentation on the item.

Mayor Dedina clarified that the approval is for holding a public hearing. The proposed increases will be discussed at the public hearing.

MOTION BY BRAGG, SECOND BY BILBRAY, TO ADOPT RESOLUTION NO. 2016-7683 SETTING TIME AND PLACE FOR PUBLIC HEARINGS TO CONSIDER ADOPTION OF THE 5-YEAR (FY17 THRU FY21) SEWER SERVICE CHARGE AND SEWER CAPACITY FEE. MOTION CARRIED UNANIMOUSLY.

5.4 RESOLUTION NO. 2016-7673 ADDING “TRIANGLE PARK WATER REDUCTION AND PEDESTRIAN / PUBLIC TRANSPORTATION ENHANCEMENTS” TO THE CIP 2-YEAR IMPLEMENTATION PLAN - FY15/16 & FY 16/17, ACCEPTING A \$65,000 DONATION FROM CALIFORNIA AMERICAN WATER COMPANY AND APPROPRIATING \$95,000 FROM THE PROP A EXTENSION ORDINANCE PROGRAM (RTCIP) FEE TOWARDS THE PARK DESIGN AND CONSTRUCTION. (0920-60)

Public Works Director Levien gave a Power Point presentation on the item.

City Clerk Hald announced no speaker slips were submitted.

Councilmember Bragg stated that any requests for new bus shelters need to be submitted to MTS soon. She advocated for the new shelters because they are lit and provide shelter.

Public Works Director Levien stated prior City Councils have preferred lower profile bus shelters.

Councilmember Bilbray spoke in support for keeping as much of the existing trees/foliage as possible.

Mayor Pro Tem Spriggs noted the importance of the area being a gateway to the City. He suggested staff bring the item back for City Council's consideration after exploring the design of the new shelter and the design of the project.

Mayor Dedina commented that staff will return with a good design and noted how this will be a

cost effective public space for tax payers and an improvement to the area. He also thanked CalAm for their donation towards the project.

Councilmember Bragg reiterated that the project is for water reduction and pedestrian/public transportation enhancements.

MOTION BY BRAGG, SECOND BY BILBRAY, TO ADOPT RESOLUTION NO. 2016-7673 ADDING "TRIANGLE PARK WATER REDUCTION AND PEDESTRIAN / PUBLIC TRANSPORTATION ENHANCEMENTS" TO THE CIP 2-YEAR IMPLEMENTATION PLAN - FY15/16 & FY 16/17, ACCEPTING A \$65,000 DONATION FROM CALIFORNIA AMERICAN WATER COMPANY AND APPROPRIATING \$95,000 FROM THE PROP A EXTENSION ORDINANCE PROGRAM (RTCIP) FEE TOWARDS THE PARK DESIGN AND CONSTRUCTION. MOTION CARRIED UNANIMOUSLY.

I.B. REDEVELOPMENT AGENCY SUCCESSOR AGENCY REPORTS (6)

None.

ITEMS PULLED FROM THE CONSENT CALENDAR (2.2 & 2.8)

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

In response to Mayor Pro Tem Spriggs' concern about the costs for Animal Control Services through the City of Chula Vista, City Manager Hall stated that staff can compare service costs with other agencies such as the County of San Diego or the City of Coronado. He also responded to Mayor Pro Tem Spriggs' questions regarding the Bayshore Bikeway project.

MOTION BY BRAGG, SECOND BY SPRIGGS, TO RATIFY THE WARRANT REGISTER. MOTION CARRIED UNANIMOUSLY.

2.8 ADOPTION OF RESOLUTION NO. 2016-7680 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH PYRO SPECTACULARS NORTH, INC. FOR PRODUCTION OF THE 2016 4TH OF JULY FIREWORKS SHOW AND TO SIGN THE RIGHT OF ENTRY PERMIT GRANTING PYRO SPECTACULARS NORTH, INC. ACCESS TO THE PIER TO PRODUCE THE SHOW. (1040-10)

In response to Mayor Pro Tem Spriggs' question, City Manager Hall reviewed the donations and expenses from last year's event and spoke about the projected expenses and donations for this year's event.

MOTION BY SPRIGGS, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2016-7680 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH PYRO SPECTACULARS NORTH, INC. FOR PRODUCTION OF THE 2016 4TH OF JULY FIREWORKS SHOW AND TO SIGN THE RIGHT OF ENTRY PERMIT GRANTING PYRO SPECTACULARS NORTH, INC. ACCESS TO THE PIER TO PRODUCE THE SHOW. MOTION CARRIED UNANIMOUSLY.

ADJOURN REGULAR MEETING

Mayor Dedina adjourned the Regular Meeting at 8:38 p.m.



Serge Dedina,
Mayor



Sunem Carballo,
Deputy City Clerk